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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/645,140

08/21/2003

Kylo Walczak

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EXAMINER

CHANG, YEAN HSI

ART UNIT

PAPER NUMBER

2835

DATE MAILED: 04/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/645,140

Applicant(s)

WALCZAK ET AL.

Examiner

Yean-Hsi Chang

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 13-20 is/are rejected.
- 7) ☒ Claim(s) 11 and 12 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 8/21/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 11 and 15 are objected to because of the following informalities: The "said lid" in claim 11 lacks antecedent basis; and "a plurality of drawers" in claim 15 should not use an "a" as the article if it refers to the same elements recited. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Clausen (US 6,039,190).

Clausen teaches a computer rack system (fig. 1) comprising: electronic components (18), a rack (10) including means (12) for supporting said electronic components therein, and a drawer (20) slidably mounted in said rack and configured to receive at least one data storage device (fig. 1) (claim 1); wherein said drawer includes means (22) for supporting said data storage device in a desired position (24) (claim 2);

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and wherein said drawer is configured to receive a plurality of data storage devices (fig.

1) (claim 3).

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1 and 4 are rejected under 35 U.S.C. 102(e) as being anticipated by Smith (US 6,654,239 B2).

Smith teaches a computer rack system (10, fig. 1) comprising: electronic components (fig. 1), a rack (not shown) including means (19) for supporting said electronic components therein, and a drawer (14) slidably mounted in said rack and configured to receive at least one data storage device (20) (claim 1); and wherein said drawer has a height that is an integral multiple of 1.75 inches (4.45 cm) (see col. 1, lines 44-64) (claim 4).

6. Claims 1, 5-7, 9-10, 15-16 and 18-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Mueller et al. (US 6,804,877 B2).

Mueller teaches a computer rack system (100, fig. 1) comprising: electronic components (fig. 2), a rack (104) including means (104) for supporting said electronic

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components therein, and a drawer (114) slidably mounted in said rack and configured to receive at least one data storage device (102) (claim 1); at least one removable tray (106) in said drawer (claim 5); wherein said tray includes means (not labeled, in fig. 12) for supporting said data storage device in a desired position (claim 6); wherein said tray is configured to support said data storage device in a desired position such that an exposed face of said data storage device is visible (fig. 12) (claim 7); wherein said tray is configured to receive a plurality of data storage devices (fig. 12) (claim 9); wherein said tray includes a lid (top of 106, not labeled) (claim 10); and a method for storing magnetic tapes claimed in claims 15-16 and 18-19 (claims 15-16 and 18-19).

7. Claims 13-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Jahne et al. (US 6,535,381 B2).

Jahne teaches a computer system (460, fig. 4) comprising: a rack (not shown, col. 1, lines 10-14) comprising a mounting means (inherent feature of a rack) disposed along an interior surface, a microprocessor (not shown, see col. 3, lines 48-58) mounted in said rack; at least one drawer (461) mounted in said rack, said drawer being slidably engageable along said mounting means, a plurality of trays (330 for both sides of 101, fig. 1; see also col. 2, lines 60-62) disposed in said drawer, the trays being removable from the drawer and disposed parallel to each other in said drawer, and a plurality of data storage devices (221 and 222) disposed in each of said trays, said data storage devices being removable from said trays and being arranged back-to-back in a stacking

arrangement (see fig. 3); and wherein said drawer is removable from said rack, and said trays extend along a lengthwise direction of said drawer claim 14).

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 15, 17 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Clausen in view of Hunt (US 6,332,546 B1).

Clausen teaches a method for storing magnetic tapes comprising: providing a rack (10, fig. 1) comprising means (12) for receiving a plurality of drawers (20, only one is shown), slidably engaging the plurality of drawers along the means, stacking a plurality of magnetic tapes in a tray (20), and the magnetic tapes (18) being removable from the trays.

Clausen fails to teaches positioning at least three trays in at least one of the drawers, and stacking the plurality of magnetic tapes at an angle within the at least one of the drawers.

Hunt teaches positioning a plurality of trays (27 or 102, fig. 21) together on a device 10, and stacking a plurality of magnetic tapes (16) at an angle within the trays.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the drawer of Clausen with the tray taught by Hunt so that one surface of the magnetic tape may be seen for user's convenience.

Again, Clausen in view of Hunt fails to teach at least three trays being positioned on at least one of the plurality of drawers. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of position at least three trays on the at least one of the plurality of drawers, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. (MPEP §2144.04 VI B.)

***Allowable Subject Matter***

10. Claims 11-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

11. The following is a statement of reasons for the indication of allowable subject matter: The best prior art of record, Clausen (US 6,039,190), Smith (US 6,654,239 B2), Mueller et al. (US 6,804,877 B2), Jahne et al. (US 6,535,381 B2), and Hunt (US 6,332,546 B1), taken alone or in combination, fails to teach or fairly suggest: among other limitations, means for locking a lid of at least one removable tray in a drawer slidably mounted in a rack of a computer rack system as set forth in claim 11; and at

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least one data storage device received in the drawer, including a memory chip as set forth in claim 12.


### ***Correspondence***

1. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yean-Hsi Chang whose telephone number is (571) 272-2038. The examiner can normally be reached on 07:30 - 16:00.

If attempts to reach the examiner by telephone are unsuccessful, the Art Unit phone number is (571) 272-2800, ext. 35. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3431 for regular communications and for After Final communications. There are RightFax numbers and provide the fax sender with an auto-reply fax verifying receipt by the USPTO: Before-Final (703-872-9318) and After-Final (703-872-9319).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-8558.

Yean-Hsi Chang  
Primary Examiner  
Art Unit: 2835  
April 14, 2005

  
**YEAN-HSI CHANG**  
**PRIMARY EXAMINER**